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19 Attorneys for Plaintiffs

20 **UNITED STATES DISTRICT COURT**

21 **DISTRICT OF NEVADA**

22 SHIGE TAKIGUCHI, et. al,
23 Individually and On Behalf of All
24 Others Similarity Situated,

25 Plaintiffs,

26 v.

27 MRI INTERNATIONAL, INC.,
28 EDWIN J. FUJINAGA, JUNZO
SUZUKI, PAUL MUSASHI
SUZUKI, LVT, INC., dba STERLING
ESCROW, and DOES 1-500,

Defendants.

Case No.: 2:13-cv-01183-HDM-NJK

**STIPULATION AND
ORDER RE PAYMENT OF
ATTORNEYS FEES AND COSTS
INCURRED BY SUZUKI
ENTERPRISES, INC. PROFIT
SHARING PLAN DURING
MARCH 2018**

1 WHEREAS Defendant Suzuki Enterprises, Inc. Profit Sharing Plan (the
2 “Plan”) and Plaintiffs are collectively referred to herein as the “Parties”;

3 WHEREAS on December 2, 2016, the Court issued its order [550] (“Order
4 re Fees”) approving the Stipulation re Payment of Attorneys’ Fees [549]
5 (“Stipulation re Fees”), providing a procedure for payment of legal fees and costs
6 from Plan funds that are presently subject to the preliminary injunction [183]
7 issued by this Court;

8 WHEREAS the Plan incurred legal fees and costs in February 2018 in the
9 amount of \$5,622.46, in connection with: terminating the Plan, and
10 communications with multiple counsel, Plan fiduciaries and the Court regarding
11 settlement issues;

12 WHEREAS such fees and costs are payable as follows:

- 13 • \$535.00 payable to Foundation Law Group LLP, lead counsel for the
14 Plan;
- 15 • \$625.00 payable to Brucker & Morra, APC, ERISA counsel; and
- 16 • \$4,462.46 payable to SI Group the administrator for the Plan;

17 WHEREAS the invoices for the Plan’s legal fees and costs with specific
18 descriptions of the work accomplished are attached hereto as Exhibit “A”;

19 WHEREAS the Parties have communicated a mutual desire to avoid the
20 necessity of a formal motion for attorneys’ fees through this Stipulation;

21 NOW, therefore, the Parties stipulate as follows:

- 22 1. \$535.00 of the funds held by LPL Financial for the benefit of the Plan
23 shall be unfrozen and released from the preliminary injunction [183] and
24 paid to Foundation Law Group LLP;
- 25 2. \$625.00 of the funds held by LPL Financial for the benefit of the Plan
26 shall be unfrozen and released from the preliminary injunction [183] and
27 paid to Brucker & Morra, APC;

- 1 3. \$4,462.46 of the funds held by LPL Financial for the benefit of the Plan
2 shall be unfrozen and released from the preliminary injunction [183] and
3 paid to SI Group; and
- 4 4. The remaining funds held by LPL Financial for the benefit of the Plan
5 shall remain frozen and subject to the preliminary injunction [183]
6 pending a further application for payment of attorneys' fees and
7 expenses; and
- 8 5. Payment of attorneys' fees and expenses for the month of March 2018
9 shall be made from cash on hand that is held in the name of the Plan.

10 DATED: April 2, 2018

DATED: April 2, 2018

11 **MANNING & KASS ELLROD**
12 **RAMIREZ, TRESTER LLP**

ENENSTEIN PHAM & GLASS

13
14 By: /s/ James E. Gibbons
15 *Attorneys for Plaintiffs*

By: /s/ Robert A. Rabbat
*Attorneys for Suzuki Enterprises, Inc.,
Profit Sharing Plan*

16 DATED: April 2, 2018

DATED: April 2, 2018

17 **LAW OFFICES OF ROBERT W.**
18 **COHEN, A.P.C.**

FOUNDATION LAW GROUP LLP

19 By: /s/ Robert W. Cohen
20 *Attorneys for Plaintiffs*

By: /s/ Gregg D. Zucker
*Attorneys for Suzuki Enterprises,
Inc., Profit Sharing Plan*

21
22 **ORDER**

23 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

24
25 DATED this 4th day of April, 2018.

26
27 

28 United State District Court Judge